

Notice of Allowability

Application No.

09/929,735

Examiner

Yogesh C. Garg

Applicant(s)

SLOAN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/13/2007.
2. ☒ The allowed claim(s) is/are 1-5, 9-13, 16-18, 21 and 24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 3/13/2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

YOGESH C. GARG
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission, that is an IDS filed on 3/13/2007 has been entered.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 3/13/2007 was filed after the mailing date of the Notice of Allowance on 2/15/2007. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Allowable Subject Matter

3. Claims 1-5, 9-13, 16-18, 21 and 24 are allowed (Independent claims 1, 9 and 17 as amended in the Examiner's Amendment mailed on 2/15/2007 with the earlier Notice of Allowance). Claims 2-5, 10-13, 16, 18, 21 and 24 are dependencies of independent claims 1, 9 and 17.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

With regards to claim 1, the prior art, when considered as a whole, fails to teach or fairly suggest a method for providing a communication medium over a wide area network, including the Internet, for the primary purpose of providing a financial modeling and counseling system comprising, inter alia, the steps of providing financial modeling, wherein the financial modeling includes a profile of a user, directly providing to the user automated customized financial coaching in a web-based environment based on the financial modeling and reflecting the profile, wherein the customized financial coaching includes suggestions in a natural language format for changes to a current financial portfolio of the user and the suggestions include financial products and recommended securities for the user to purchase, displaying to the user a plurality of communication options with a live financial advisor in said web-based environment, enabling a communication medium between said user and the live financial advisor based on the user selected communication option , establishing a communication between said user and said live financial advisor provides live financial coaching whereby said user is assisted in achieving financial goals and optimizing long-term goals and transmitting streaming live video or still video clips upon the user's selection, and establishing a plurality of service levels such that each of the service levels includes a unique combination of type of financial modeling, type of financial coaching, and amount of communication between the user and the live financial advisor selecting one of the

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plurality of service levels to determine the type of financial modeling, type of financial coaching, and amount of communication between the user and the live financial advisor available to the user in the financial modeling and counseling system.

The language of the other independent claims 9 and 17 is closely similar to that of claim 1 and therefore the reasons for allowance for claims 9 and 17 are based on the same rationale as for claim 1.

Since claims 2-5, 10-13, 16, 18,21 and 24 are dependencies of claims 1, 9 and 17, the reasons for allowance for these dependent claims are same as for claims 1, 9 and 17 given above.

5. Discussion of most relevant prior art:

The most relevant prior art is the combination of teachings of Press release, "Kana and Weblines Team to Provide Industry's Most Comprehensive Online Customer Interaction Solution"; Business Wire; New York; Apr 20, 1999, pages 1-3, extracted on Internet from <http://proquest.umi.com> on 03/04/2003, hereinafter, referred to as Weblines, Ray et al. (US Patent 6,018,722), hereinafter, referred to as Ray, Pustejovsky et al. (US Publication: US 2001/0039493 A1), hereinafter referred to Pustejovsky and Schilleru-Key (US Patent 6,388,688).

Weblines teaches providing automated financial coaching in a web-based environment displaying to a user a plurality of communication options with a live financial advisor in said web page environment; and enabling a communication medium between said user and a live financial advisor based on the user selected communication option whereby said live financial advisor may provide live financial coaching in a collaborative medium for sharing data between said user and a live financial advisor upon the selection of a communication option from

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electronic mail, online chat, voice or talk with stand alone telephone options. Weblines do not show providing financial modeling wherein the financial modeling includes a profile of the user and directly providing automated customized financial coaching based on the financial model such that said user is assisted in changing the current portfolio by including financial products and recommended securities for the user to purchase. Ray discloses providing financial modeling wherein the financial modeling includes a profile of the user and automated customized financial coaching based on the financial model such that said user is assisted in achieving financial goals and optimizing long-term goals, and the financial coaching includes suggestions for changes to a current financial portfolio of the user and wherein the suggestions include financial products and recommended securities for the user to purchase. (see at least abstract, col.9, lines 29-65, and col. 4, line 62-col.5, line 48. Ray teaches both the options that are providing financial advice to the client directly as well as through a financial advisor (see Fig.2 and col.7, lines 30-37). Weblines combined with Ray do not show that the suggestions are presented in a natural language format via web. Pustejovsky teaches that the suggestions are presented in a natural language format via web (see at least paragraph 0016). Weblines combined with Ray and Pustejovsky do not show that said live advisor transmitting streaming live video or still video clips upon the user's selection. Schiller-Key teaches the use of video clips and streaming live video (see at least col.4, lines 55-65). Weblines combined with Ray, Weblines combined with Ray, Pustejovsky and Schiller-Key do not disclose establishing a plurality of service levels such that each of the service levels includes a unique combination of type of financial modeling, type of financial coaching, and amount of communication between the user and the live financial advisor selecting one of the plurality of service levels to determine the type of financial modeling, type of financial coaching, and amount of communication between the user and the live financial advisor available to the user in the financial modeling

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and counseling system. In this regard, the applicant's Remarks and arguments, see pages 8-9, filed on 11/16/2006 are persuasive and compelling in stating that the cited prior art disclosed in Weblin, Ray, Pustejovsky and Schileru-Key, either single or combined, does not teach all the recited limitations in claims 1, 9 and 17 as a whole.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on Increased Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Yogesh C Garg
Primary Examiner
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YCG
3/26/2007